



CITY OF CLEVELAND
Mayor Justin M. Bibb

Request for Proposal

CLOSING THE DIGITAL DIVIDE

Digital Adoption and
Affordable Access

Issued: 6/30/22

Responses Due: 11:59 p.m. 8/8/22

TABLE OF CONTENTS

Table of Contents	2
I. Introduction and Summary	4
II. Phased Prioritization	5
a. Overview	5
b. Phase I: Adoption and Affordability	6
i. Digital Adoption Services	6
ii. Affordable Broadband Plan	6
c. Phase II: Fiber Infrastructure and a Smart City.....	8
III. Available Assets.....	9
a. Financing via ARPA	9
b. Permit Agreement	9
c. City-Operated Entities.....	9
d. City-Owned Internet Assets	9
e. City-Owned Utilities	10
f. Smart City Deployment and Capitalization	10
g. Other.....	10
IV. RFP Timetable and Submission.....	11
a. Schedule of Activities	11
b. Principal Contact.....	11
c. Pre-Submittal Conference	11
d. Q&A Release.....	11
e. How to Submit	12
V. Proposal Content.....	13
a. Overview	13
b. Additional Proposal Content Elements	14
i. Cover Letter	14
ii. Executive Summary.....	14
iii. Exceptions	14

iv.	Applicant Affidavit.....	14
VI.	Evaluation Framework.....	16
a.	Overview	16
b.	Scores and Prompts	17
i.	Adoption Plan.....	17
ii.	Broadband Service Plan.....	18
iii.	Phase II Progress: 20 Points	20
iv.	Organization: 30 Points	21
v.	Finance and Fee Proposal: Separate Consideration.....	21
c.	Minimum Proposal Requirements.....	22
VII.	Additional Requirements.....	24
a.	Overview	24
b.	Operations and Maintenance	24
c.	Requirements Set by Federal and State Funds	24
d.	Applicant Qualifications, Leadership, and Key Staff	24
e.	Applicant History and Finances	25
f.	Technical and Professional Capabilities	25
g.	Insurance	25
h.	Safety.....	25
VIII.	Terms, Conditions, and Disclaimers	27

I. INTRODUCTION AND SUMMARY

As part of a broad-based agenda for growth, justice, progress, and prosperity across the City of Cleveland, Mayor Justin M. Bibb, his administration, and Cleveland City Council are committed to a robust digital equity agenda that addresses the City’s “digital divide.”

Affordable, high-quality broadband is not a luxury—it is a necessity. Yet today, many homes in Cleveland lack sufficient internet connectivity. Mobile devices provide limited access, but a cellular connection still leaves residents behind. To establish Cleveland as a model municipality in the 21st century, the potential of the internet must be fully accessible to every Cleveland resident.

Getting there requires two major efforts in the short-term: every Cleveland resident should have the opportunity to receive the education, training, skills, devices, and support they need to engage effectively online; and every home in the City should have an affordable connection to the internet at speeds that match consumer demand. These “digital adoption” and “affordable access” goals reflect the immediate needs of Cleveland residents and are the foundation of this RFP.

But fully closing the “digital divide” will require the City to take a longer-term, strategic view. Without question, Cleveland residents’ ability to fully participate in the modern era will require universal fiber-optic infrastructure and the widespread deployment of Smart City technology. This RFP focuses on adoption and access, but the work that results from it will leave the City in a strong position to reach these next-step goals.

Today, the City of Cleveland seeks one or more partners who are expected to bring technical expertise, engagement experience, and—as necessary—financing to the table. The City has already allocated a proportion of the funding it received from the federal American Rescue Plan Act for this RFP, and it intends to seek out additional government and philanthropic funds as necessary.

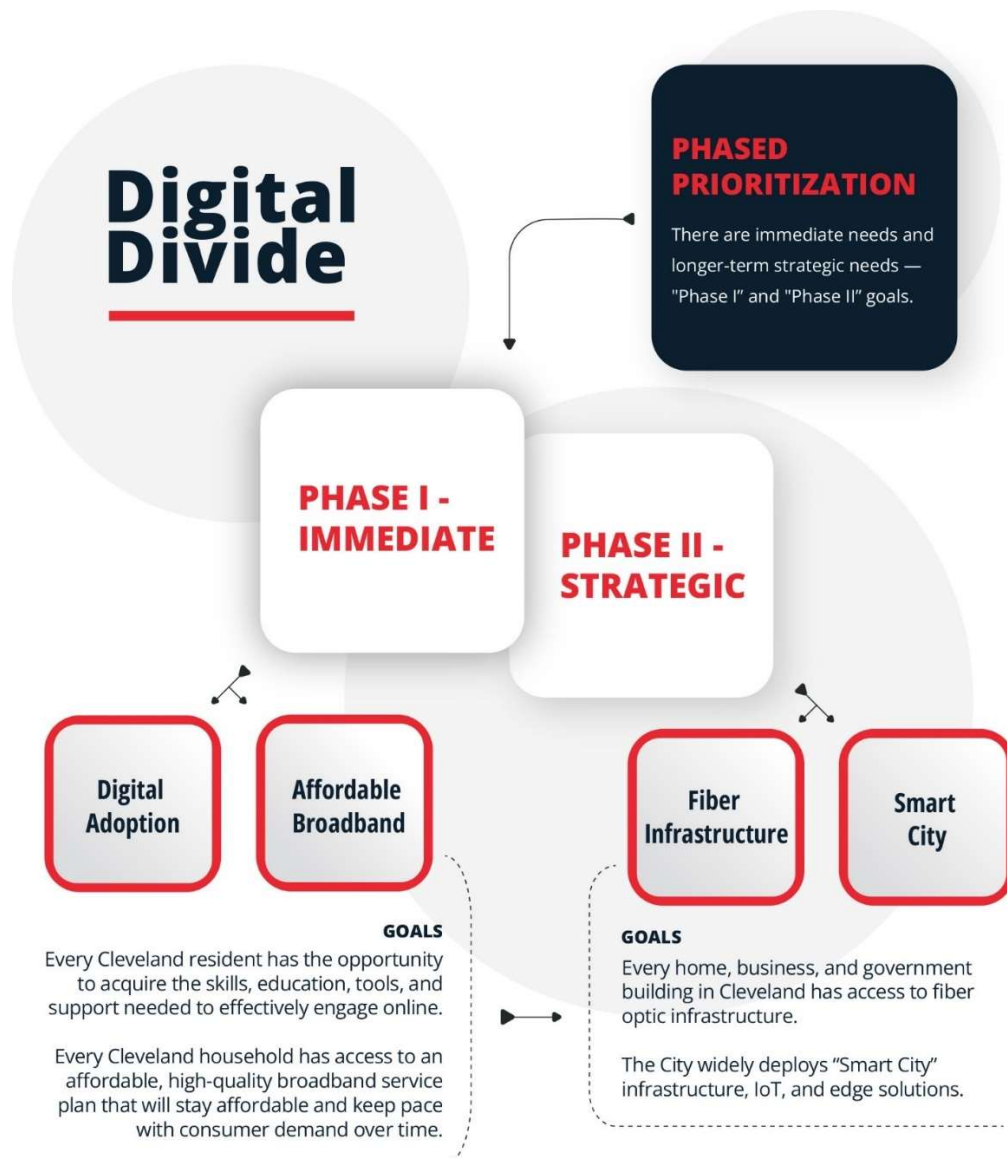
The City of Cleveland offers its total commitment to closing the digital divide. Through this RFP, it also offers the resources and vision needed to do so.

II. PHASED PRIORITIZATION

a. Overview

To address the digital divide, the City and this RFP delineate between Cleveland’s immediate needs and longer-term strategic needs—“Phase I” and “Phase II” goals, below. This RFP specifically addresses the Phase I goals: ensuring that individuals who do not engage online can become full internet users as quickly as possible, relying on digital adoption and affordable access strategies. But the Phase II goals—ubiquitous fiber optic connections and Smart City deployments—are essential to keeping Cleveland competitive and attractive into the future.

The City aims to fully address both Phase I goals through this RFP. But the City is open to multiple forms of final agreements that will achieve those goals. This may include agreements with multiple Applicants, with a single partnership of multiple applicants, or through other agreements models as determined by the City and the applicants themselves.



b. Phase I: Adoption and Affordability

Goals: Every Cleveland resident has the opportunity to acquire the skills, education, tools, and support needed to effectively engage online.

Every Cleveland household has access to an affordable, high-quality broadband service plan that will stay affordable and keep pace with consumer demand over time.

i. Digital Adoption

According to the latest available data from the U.S. Census Bureau, 44 percent of Cleveland households have no wireline broadband connection.¹ 27 percent of Cleveland households have no broadband at all, including via cellular data plans.² The lack of connectivity is most pronounced in Cleveland's east side neighborhoods, which are predominantly non-white and low-income.

This RFP uses the measure of Cleveland households without a wireline broadband connections as a proxy measurement of whether the members of that household are effectively engaging online. Its goal is to ultimately bring as many of those households into the folds of internet connectivity. And at the core of the disconnect is the absence of a citywide, concerted digital adoption push.

The City believes that a successful adoption strategy involves grassroots outreach, advertising, educational services, training or skills-building, device provision, resident follow-up for evaluation, and general support to Clevelanders who need it. The City seeks a partner or partners to provide those services and, in doing so, provide data that can further inform the City's work to close the digital divide.

Proposals should provide for coordination with the City as well as non-profit, philanthropic, and other organizations working to address the digital divide. In addition, the City acknowledges that an optimal outcome may require multiple partners addressing adoption—focusing on different aspect of adoption, providing services only in a certain geography, and/or specializing in reaching certain demographics. The City is also open to a single partner providing all aspects of adoption services across the City, or to a group of partners providing blanket services under one joint Proposal. Ultimately, the City is agnostic as to how effective digital adoption services reach every resident, so long as such services are available to every resident.

ii. Affordable Access

Beyond the skills and support components of an adoption strategy, engaging online ultimately requires an affordable, high-quality home broadband connection.

¹ “Presence and Types of Internet Subscriptions in Household,” American Community Survey, 5-Year Estimates Detailed Tables, 2020, [available here](#).

² *Id.*

On one hand, there is unprecedented federal support to make this happen. With the passage of the Infrastructure Investment and Jobs Act (IIJA) in November 2021 and subsequent appropriation in December 2021, the Affordable Connectivity Program (ACP) now provides a \$30/mo subsidy for qualifying individuals to subscribe to a broadband plan. As the funding source is limited, the ACP is not a long-term solution to Cleveland’s needs. But while available, the City of Cleveland seeks a partner to maximize ACP usage among residents for home broadband—and ultimately maximize the number of Cleveland residents with an affordable, high-quality broadband connection at home.

On the other hand, effective online engagement requires access to an affordable plan that keeps pace with rapidly rising consumer demand. The end of 2021 heralded the first time in that average individual usage in North America exceeded half a terabyte (512 GB) in one month.³ From 2018 through 2021, “average bandwidth consumption had grown nearly 165%,” and the growth rate shows no signs of slowing.⁴ And consumer speed demand has increased at a similarly rapid clip.⁵ Cleveland residents need access to affordable internet plans at speeds that keep up with these increasing demands: non-user residents will not fully adopt the internet into daily life if they cannot use the internet the same way a typical user does.

As such, the City is requesting Proposals that result in a universal free or low-cost⁶ broadband service plan as quickly as possible, at least for individuals with ACP-qualifying needs.⁷ If using existing infrastructure, the plan should operate at a reliable minimum speed of 100 mbps download / 20 mbps upload; if using new infrastructure, then at 100 mbps symmetrical. Access should ultimately reach every neighborhood and resident in Cleveland. And a plan should be in place for this service to stay affordable over time while keeping pace with increasing consumer bandwidth demands.

This goal is not prescriptive in terms of *how*—via what technology, mechanism, or agreement—residents get that access to affordable, high-quality broadband internet. Instead, it focuses on immediate outcomes from the consumer perspective, and it simply asks *whether* all residents have access to such a service.

³ “OBVI Broadband Insights Report,” OpenVault, Q4 2021, [available here](#).

⁴ “OBVI Broadband Insights Report,” OpenVault, Q1 & Q4 2021, [available here](#).

⁵ Only 17 percent of North Americans with an internet connection connect at download speeds of 100 mpbs or below. Meanwhile, subscription growth is surging at the 200-400 mbps tier, which saw an 80 percent year-over-year increase in fourth quarter 2021. *See* “OBVI Broadband Insights Report,” OpenVault, Q4 2021, [available here](#).

⁶ In this RFP, a “low-cost” broadband service plan is defined as one that costs less than 1% of income at 200% of the federal poverty line for a household of one person, or no more than approximately \$23/month.

⁷ A means-tested plan should strive to still reach as broad a population as possible, but at a minimum should reach a population co-extensive with the requirements set forth by the federal Affordable Connectivity Program.

c. Phase II: Fiber Infrastructure and a Smart City

Goals: Every home, business, and government building in Cleveland has access to fiber optic infrastructure.

The City widely deploys “Smart City” infrastructure, IoT, and edge solutions.

Beyond the “Phase I” needs identified above, Cleveland’s physical internet infrastructure is insufficient for expected resident and business demand in the coming years. To this, the City does take a prescriptive approach: fiber optics, the fastest, longest-lasting, and most cost-effective internet infrastructure solution. As the federal government stated in the ARPA Coronavirus State and Local Fiscal Recovery Funds (SLFRF) Final Rule, fiber optic infrastructure is a requisite for “enabl[ing] the next generation of application solutions for all communities,” “is capable of delivering superior, reliable performance,” and “is generally most efficiently scalable to meet future needs.”⁸

But only 41 percent of Clevelanders currently have access to a fiber optic internet connection, according to the latest FCC data available.⁹ Meanwhile, gigabit-tier service subscriptions exploded by 425 percent from fourth quarter 2019 to fourth quarter 2021.¹⁰ And model cities like Chattanooga, Tennessee have leveraged their ubiquitous fiber infrastructure deployment into a ten-year return-on-investment of \$2.69 billion, with the creation or retention of nearly 10,000 jobs.¹¹ Cleveland is ripe for a similar investment.

In addition, the City recognizes the transformative capability of “Smart City” technologies. The City is still developing a full strategy for mass deployment, and it already utilizes certain smart technologies—the Cleveland Water Department already uses Automated Meter Reading equipment, for example. But as more Clevelanders engage online and Cleveland’s fiber infrastructure grows, the City anticipates that these Smart City developments will present a world of potential.

Again: the City is issuing this RFP to achieve its Phase I adoption and affordability goals above. But Proposals should leave the City well-positioned to reach these Phase II goals. And fundamentally, the City does not want to make investments that will push the City in a direction that would leave it further from these goals. Present incumbents are encouraged to lay the groundwork for the Phase II goals in the meantime.

⁸ Final Rule, Coronavirus State and Local Fiscal Recovery Funds, Department of Treasury, pp. 306-307, [available here](#).

⁹ “Number of Fixed Residential Broadband Providers—Cleveland, OH,” Federal Communications Commission, December 2020, [available here](#).

¹⁰ OBVI Broadband Insights Report,” OpenVault, Q4 2021, [available here](#).

¹¹ “Ten Years of Fiber Optic and Smart Grid Infrastructure in Hamilton County, Tennessee,” Bento J. Lobo, Ph.D., CFA, 8/31/2020, [available here](#).

III. AVAILABLE ASSETS

a. Financing via ARPA

The City of Cleveland has budgeted \$20 million in American Rescue Plan Act (ARPA) funds for all its broadband goals—Phases I and II. The City stands ready to leverage this capital to support the selected Proposal and create transformational change. The City anticipates seeking additional funding with the Applicant from IJA programs, the State of Ohio, philanthropy, and other sources.

b. Permit Agreement

As needed and upon consideration, the City of Cleveland can enter into a permit agreement for work relating to the Proposal. Such an agreement would require the Applicant to comply with City encroachment requirements and regulations when working in City rights of way or engaging in work affecting City infrastructure. At the same time, it would help the City facilitate a streamlined permitting process for the Applicant.

c. City-Operated Entities

The City owns and operates a number of entities that can be used to facilitate the provision of digital adoption services and an affordable, high-quality broadband plan.

Among those, the City owns and operates Cleveland's City Hall, other administrative buildings, Cleveland Public Auditorium, the West Side Market, parking garages, recreation centers, parks, and pools. It also plays a significant role in the administration or oversight of a number of major public entities, including Cleveland Hopkins International Airport and Cleveland Public Library. Buildings and entities' availability for use in the Proposal may be limited by their function, by contractual obligations, by the City's specific relationship with them, or for safety concerns. But potential uses to further the goals in this RFP could include distribution hubs for educational information, distribution hubs for device distribution, long-term service agreements, physical distribution nodes, physical locations to hold classes, etc.

Finally, the City can facilitate outreach to other large institutions or government entities, including Cuyahoga County, Cleveland Metropolitan School District, Cuyahoga Metropolitan Housing Authority, the Cleveland Metroparks, the Northeast Ohio Regional Sewer District, Cleveland's many medical and educational institutions, and other firms with a large presence in the City.

d. City-Owned Internet Assets

The City owns some single-strand last-mile fiber that extends from various privately owned nodes to several forms of security equipment (cameras, ShotSpotter, etc.) across the city. It also owns 22 parks and recreation facilities equipped with limited amounts of fiber, and approximately a mile of downtown fiber assets that connect select city buildings. In addition, the City has right-of-way access to an underground utility conduit on Euclid Avenue, one of Cleveland's primary downtown commercial thoroughfares.

e. City-Owned Utilities

Through its Department of Public Utilities (DPU), the City owns and operates Cleveland Public Power (CPP), a publicly owned municipal electric utility. CPP owns or has access to an extensive utility and light pole network across approximately two-thirds of the City's geography, with those poles primarily located on resident tree lawns or berms.

Again through DPU, the City also operates its own water utility, the Cleveland Water Department. Cleveland Water provides water services regionally to over 1.5 million customers and over 70 percent of Northeast Ohio.¹²

DPU also operates the Water Pollution Control utility, which services thousands of catch basins and storm drains across the city. A separate regional utility not operated by the City, the Northeast Ohio Regional Sewer District, manages wastewater treatment.

DPU utilities have bond indentures, contractual obligations, and other regulatory limitations that require them to offer use of DPU assets only at competitive or reasonable rates.

f. Smart City Deployment and Capitalization

The City believes there is great potential in the large-scale deployment of new Smart City technologies. While these potential "assets" do not currently exist, the City sees them as a financial opportunity for Applicants.¹³ The City welcomes Proposals that deploy Smart City technologies while addressing its Phase I goals. The Applicant can capitalize efficiencies or cost-savings from those deployments as a means of funding the overall Proposal. There are notable opportunities present here for Cleveland's utilities, traffic management, safety services, other communications applications, etc.

In short: while the City's Phase II strategy will directly address its Smart City capabilities, it City supports the co-development of Phase I connectivity and adoption solutions using Smart City technologies or other efficiencies.

g. Other

With some exceptions, Cleveland can provide the use of its non-DPU infrastructure without strict pricing constraints. This includes vacant land plots. The City is open to discussion about specific asset availability and pricing.

¹² Cleveland Water, 2017 Annual Report, [available here](#).

¹³ For example, Connected Insights produced a 2019 report for Cuyahoga County, in which Cleveland is the largest city, on various efficiencies that could be captured through Smart City deployments. *See* "Connecting Cuyahoga," 6/4/2019, [available here](#).

IV. RFP TIMETABLE AND SUBMISSION

a. Schedule of Activities

The City has developed an estimated timeline for this RFP. The City will move as quickly and efficiently as possible to determine the feasibility of each Proposal and to move forward with term sheet discussions and ultimately conclude an agreement accordingly. The City reserves the right to modify or update this schedule at any time.

<u>Date</u>	<u>Event</u>
6/30/22	RFP Release
7/12/22	Pre-Submittal Conference
7/25/22	Q&A Submission Deadline
7/28/22	Q&A Release
8/8/22	Proposal Submission Deadline
8/15/22–8/26/22	Request for Clarification, Questions to Leading Respondents
9/1/22	City Declaration of Intent to Partner and Negotiation Start
9/6/22–9/27/22	Contractual Negotiations, Approval, and Execution

b. Principal Contact

Austin Davis, Senior Government Affairs Strategist & Assistant Director of Law, is the single point of contact (“Principal Contact”) for all matters relating to this RFP. Applicants should direct all inquiries to the Principal Contact at: adavis3@clevelandohio.gov.

Applicants should not, under any circumstances, contact any City personnel (including senior City management or City employees with whom Applicants have an existing business or personal relationship) to discuss this RFP without the Principal Contact’s prior written consent. Utmost discretion is expected of Applicants and all other RFP recipients. Any recipient attempting to circumvent this process will risk elimination from further participation in the bidding process.

c. Pre-Submittal Conference

A non-mandatory pre-submittal conference will be held on July 12, 2022 via Microsoft Teams from 12pm-1pm. The video conference link is [available here](#). Applicants can also dial in via 216-306-2628, phone conference ID 262 595 701#.

d. Q&A Release

Applicants may submit an initial set of questions based on their review of this RFP. Questions should be submitted via email by 11:59pm on the date listed in Section IV(a) Schedule of Activities, “Q&A Compilation.” Questions received after this time and date will not be answered.

Questions must be submitted in the body of the email or as an attachment to the email. Each individual question should include reference to specific RFP sections and subsections. This email should be sent to the individual(s) listed in Section IV(b) Principal Contact. The email

should include the subject heading: “RFP [RFP #] – Closing the Digital Divide – [firm name] – Questions”.

The City will release responses to the questions on the date listed in the Section IV(a) Schedule of Activities. To ensure the fair and consistent distribution of information, no individual responses will be provided. Any questions or concerns not submitted by the stated time and date will be deemed waived.

e. How to Submit

Applicant shall submit their Proposal electronically. Submissions shall be sent via email to the Principal Contact. The email subject heading should be in the following format: “RFP [RFP #] – Closing the Digital Divide – [firm name] – Proposal”.

The Finance and Fee Proposal must be packaged separately from the rest of the Proposal, ie in a different file attached to the same submission email.

Proposals must be submitted by 11:59pm on August 8, 2022.

Proposals submitted after the deadline, that state that information will be provided “at a later date,” or that are otherwise incomplete or fail to comply with the requirements set forth in this RFP will be disqualified from participation in this RFP process. Proposals that are not submitted via email to the Principal Contact with the appropriate email subject heading may also be disqualified from participation.

Proposals may not be amended after the submission deadline.

V. PROPOSAL CONTENT

a. Overview

Proposal submissions must include the following:

- Cover letter.
- Executive summary.
- Applicant's exceptions to the RFP's requirements, if any.
- Full and detailed plan to achieve the City's goals in Section II.
 - Must include detailed narrative describing Applicant's plan and approach, with reference to the City's phased approach.
 - Must include full timeline for Proposal implementation.
 - Must include organizational chart for staff implementing Proposal, as well as resumes for key staff.
 - Must include chart(s) that identify:
 - Individual tasks/services that make up the overall proposal.
 - Key staff members responsible for each task/service (including title).
 - Timeline for completion of individual task/service.
 - Proposed metric(s) for measuring task/service efficacy.
 - Must include expected fees and expenses for deploying the Proposal, delineating between City financing and other sources.
 - Must include troubleshooting and follow-up protocols.
- Detailed responses to the Evaluation Framework prompts and requirements in Section VI.
 - This includes the separate Finance and Fee Proposal in Section VI, which should be packaged separately from the Proposal.
- Detailed responses and/or affirmations to the Additional Requirements listed in Section VII.
- A statement describing how the Proposal incorporates environmental sustainability.
- Completed copies of the following documents ([available here](#)):
 - Non-Competitive Bid Contract Statement for Calendar Year 2022.
 - Cleveland Area Business Code – Notice to Bidders & OEO Schedules (which shall be used by the City as affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible, but not a factor in evaluation of the proposals, consistent with 2 C.F.R. § 200.321).
 - Northern Ireland Fair Employment Practices Disclosure.
 - Federal Form W-9 including Taxpayer Identification Number.
- Applicant Affidavit.
- Additional information as desired by Applicant.

b. Additional Proposal Content Elements

Proposal elements that are not explicitly described elsewhere in this RFP are described here:

i. Cover Letter

Applicants' cover letter shall identify and introduce the Applicant and provide other general information about Applicant's business organization including, at least, in one or more attachments or in the Proposal, Applicant's name, address, principal point of contact, federal ID number, telephone number, and e-mail address. If the Proposal is a joint proposal or venture between multiple firms, state the same information for each firm but identify a single principal point of contact for the Proposal overall.

ii. Executive Summary

The Executive Summary should provide a complete and concise summary of Applicant's background, areas and levels of expertise, relevant experience, and ability to meet the requirements of this RFP. It should briefly state what sets Applicant apart. The Executive Summary should be organized so it can stand alone. It should be no more than 750 words.

iii. Exceptions

Applicant shall itemize any exceptions it has to the RFP. If it has no exceptions to or deviations from any part of this RFP, it shall so state on an "Exceptions" page. If no deviations or exceptions are identified, Applicant understands that if the City accepts the Applicant's proposal, it must comply with and conform to all of the requirements of the RFP.

iv. Applicant Affidavit

Each Applicant shall submit with its proposal an affidavit stating that neither it nor its agents, nor any other party acting for it has paid or agreed to pay, directly or indirectly, any person, firm or corporation any money or valuable consideration for assistance in procuring or attempting to procure the contract proposed to result from its proposal, and further agreeing that no such money or reward will be paid.

EVALUTATION FRAMEWORK

VI. EVALUATION FRAMEWORK

a. Overview

Again, the end-state goals for this RFP are that: 1) every Cleveland resident has the opportunity to acquire the skills, education, tools, and support needed to effectively engage online, and 2) every Cleveland household has access to an affordable, high-quality broadband service plan that will stay affordable and keep pace with consumer demand over time. The Section V of this RFP sets forth the required elements of a Proposal. In doing so, the “North Star” questions that each Proposal should seek to answer are:

- Adoption Plan: How will every Clevelander have an opportunity to receive the education, training, devices, and/or support needed to effectively engage online?
- Broadband Service Plan: How fast will the affordable, high-quality broadband service plan be? How many Clevelanders actually use the plan? How will that plan keep pace with increasing consumer speed demands over time?
- Phase II Progress: How will the Proposal incorporate or better position the City to achieve its Phase II goals?
- Organization: How will the Applicant be an ideal partner to the City?
- Finance and Fee Proposal: How much will the Proposal’s service cost the City and/or the end-user? How will services stay affordable over time?

In addition to a full and detailed plan to achieve the City’s goals in Section II, Applicants should provide detailed responses to the prompts and requirements below. The City will use these prompts to help assess and evaluate the Proposals. Examples of high-, medium-, and low-rated responses follow each prompt. These benchmark examples are not prescriptive, but instead provide insight as to how the City will assess responses. The City will still accept Proposals with prompt responses that fall “below” a low-rated example.

If an Applicant believes that an individual prompt is not applicable to its Proposal, it should state as much as a response to that prompt. If a Proposal only addresses one of this RFP’s two goals, then the prompts relating to the goal not addressed would not be applicable.

Proposals in general and prompt responses specifically must include evidence to support any given assertion. The City will reject Proposals that fail to explain the method by which the Proposal will achieve its outcomes or provide evidence for why those methods would succeed. Other considerations may factor into a final agreement depending on additional information or context.

This Section also includes a series of “Minimum Proposal Requirements.” Proposals should state their agreement to the requirements and clarify how the Proposal satisfies them.

Any rating or score determined by the City is not intended and should not be interpreted as a reflection of an Applicant’s professional abilities. Instead, they reflect the City’s best attempt to quantify each Applicant’s ability to provide the services sought by the City and to meet the specific requirements of this RFP, for comparison purposes.

b. Scores and Prompts

i. Adoption Plan

1) Impact: 25 Points

1. *Prompt: As a result of a final agreement regarding adoption plans—per this Proposal alone or in conjunction with other Proposals’ adoption plans—how many residents are anticipated to become new regular internet users and engage effectively online due to the adoption plan?*¹⁴
 - High: 50,000 residents will newly become regular internet users—approximately one-third the amount of Cleveland residents who do not have a wireline broadband at home.
 - Medium: 35,000 residents will newly become regular internet users—approximately one-third the amount of Cleveland residents who do not have any form of internet subscription.
 - Low: 20,000 residents will newly become regular internet users—approximately one-third the amount of Cleveland residents whose only internet connection is through their cellular data plans.
2. *Prompt: How quickly will the Proposal or group of proposals reach that resident adoption goal?*
 - High: 1 year from deployment.
 - Medium: 3 years from deployment.
 - Low: 5 years from deployment.
3. *Prompt: How will individuals who have or are gaining the skills to engage effectively online but lack adequate internet-capable devices gain those devices?*
 - High: Applicant will directly provide relevant devices to qualified individuals.
 - Medium: Applicant will partner with an identified entities to provide relevant devices to qualified individuals.
 - Low: Applicant has a plan to support the efforts of a yet-unidentified partner to provide relevant devices to qualified individuals.

2) Content: 25 Points

4. *Prompt: What evidence or research base supports the Proposal’s adoption plan?*
 - High: Supported by peer-reviewed randomized control trials.
 - Medium: Supported by other peer-reviewed research.
 - Low: Supported by a strong track record with verifiable results.
5. *Prompt: How is racial equity integrated into the Proposal’s adoption plan?*
 - High: The adoption plan relies on a continuing series of large- and small-scale conversations, town halls, conferences, meetings, etc. with leaders and

¹⁴ While evidence is required to support all claims and assertions made in Proposals, evidence supporting expected outcomes like these is of the utmost importance.

community members from racial groups that are disproportionately affected by digital redlining.

- Medium: The adoption plan provides for the consultation at the earliest stages of plan execution through conversations, town halls, conferences, meetings, etc. with a select and limited number of leaders from racial groups that are disproportionately affected by digital redlining.
- Low: The adoption plan provides for the consultation at the earliest stages of plan execution with leaders and community members from racial groups that are disproportionately affected by digital redlining.

6. *Prompt: What evidence or data does the Proposal's adoption plan collect or produce for continued review?*

- High: Data regarding the “landscape” before deployment of adoption services, the effectiveness of particular outreach methods, and the impact of the Proposal's adoption services in both the long- and short-term.
- Medium: Data regarding the “landscape” before deployment of adoption services, the effectiveness of particular outreach methods, and the impact of the Proposal's adoption services in the short-term.
- Low: Data regarding the impact of the Proposal's adoption services in the short-term.

ii. Broadband Service Plan

1) Plan Metrics: 25 Points

7. *Prompt: What download speed will the affordable broadband plan offer upon Proposal deployment?*

- High: Greater than 350 Mbps.
- Medium: 350 Mbps.
- Low: 100 Mbps.

8. *Prompt: What upload speed will the affordable broadband plan offer upon Proposal deployment?*

- High: Greater than 100 Mbps.
- Medium: 100 Mbps.
- Low: 20 Mbps.

9. *Will the affordable broadband service plan's speed increase to match increasing consumer demand over time?*¹⁵

¹⁵ While a complicated question, the City estimates consumer demand for download speed as increasing at a minimum annual rate of at least 20 percent. See Speedtest by Ookla, “United States’ Mobile and Fixed Broadband Internet Speeds,” *United States Median Speeds May 2022*, [available here](#) (measuring 29 percent increase in median fixed download speed in the United States from May 2021 to May 2022).

- High: Yes. Affordable plan speeds will increase each year at a pace matching increased consumer demand.
- Medium: Yes. Affordable plan speeds will increase regularly, though not annually, at a pace matching increased consumer demand.
- Low: While affordable plan speeds will not regularly increase at a rate necessarily commensurate with consumer demand, there is a plan to provide for their increase from time to time.

10. *Prompt: Will the broadband technology through which the service plan is provided keep up with increasing consumer demand over time?*¹⁶

- High: The technology used will not require any significant upgrades to stay useful and relevant for expected consumer use for the next 10 years.
- Medium: The technology used will not require any significant upgrades to stay useful and relevant for expected consumer use for the next 5 years.
- Low: While the technology deployed will require significant upgrades to stay useful and relevant for expected consumer use beyond the next 5 years, the Proposal includes a concrete financing plan that does not involve City subsidies to provide those upgrades.

2) Deployment Speed and Outreach: 25 Points

11. *Prompt: How quickly will the Proposal's affordable broadband service plan be offered to the 44 percent of Clevelanders currently without non-mobile home broadband?*

- High: Less than 3 months.
- Medium: Less than 9 months.
- Low: Less than 18 months.

12. *Prompt: How quickly will the Proposal's affordable broadband service plan be offered to every resident of Cleveland?*

- High: Less than 3 months.
- Medium: Less than 9 months.
- Low: Less than 18 months.

13. *Prompt: How will residents without a home broadband connection learn about and subscribe to the Proposal's affordable broadband plan?*

- High: The Proposal involves both a media advertising campaign and a door-to-door grassroots campaign to identify and sign up individuals who do not have home broadband for the Proposal's affordable plan.
- Medium: The Proposal involves just a door-to-door grassroots campaign, without a media advertising component, to identify and sign up individuals who do not have home broadband for the Proposal's affordable plan.

¹⁶ See *id.*

- Low: The Proposal involves just a media advertising campaign, without a door-to-door component, to identify and sign up individuals who do not have home broadband for the Proposal's affordable plan.

14. *Prompt: Within four years, how many residents are anticipated to subscribe to the Proposal's broadband service plan?*¹⁷

- High: 50,000 residents are each expected to subscribe to this broadband service plan for at least a year—approximately one-third the amount of Cleveland residents who do not have a wireline broadband at home.
- Medium: 35,000 residents are each expected to subscribe to this broadband service plan for at least a year—approximately one-third the amount of Cleveland residents who do not have any form of internet subscription.
- Low: 20,000 residents are each expected to subscribe to this broadband service plan for at least a year—approximately one-third the amount of Cleveland residents whose only internet connection is through their cellular data plans.

15. *Prompt: How will the Proposal take maximum advantage of federal, state, and philanthropic funding opportunities, including the ACP?*

- High: The Proposal involves dedicated resources to, on an ongoing basis, identify, apply for, and implement various federal digital equity funding sources/programs (IIJA). The Proposal also includes a campaign to maximize local use of the ACP benefit for home broadband using the Proposal's service plan.
- Medium: The Proposal involves one-time resources for identifying, applying for, and implementing a limited number of federal digital equity funding sources/programs (IIJA). The Proposal also includes a campaign to maximize local use of the ACP benefit for home broadband using the Proposal's service plan.
- Low: The Proposal includes a campaign to maximize local use of the ACP benefit for home broadband using the Proposal's service plan.

iii. Phase II Progress: 20 Points

16. *Prompt: Does the Proposal result in the deployment of physical infrastructure that is not fiber-optic?*

- High: No.
- Medium: Yes, but it also provides for the deployment of significant new fiber assets that can be later used by the City to ensure universal fiber access.
- Low: Yes, but the Proposal includes a plan to migrate over time from non-fiber physical infrastructure to fiber infrastructure.

¹⁷ While evidence is required to support all claims and assertions made in Proposals, evidence supporting expected outcomes like these is of the utmost importance.

17. Prompt: Does the Proposal further the deployment or capture of efficiencies, synergies, or Smart City technologies?

- High: Yes. The Proposal directly provides for the deployment or capture of efficiencies, synergies, or Smart City technologies that result in improved City services. The Proposal has the City retaining the direct financial benefit of those deployments.
- Medium: Yes. The Proposal directly provides for the deployment or capture of efficiencies, synergies, or Smart City technologies that result in improved City services, though the City does not retain the direct financial benefit of those deployments.
- Low: No, but the Proposal would establish the groundwork necessary to deploy efficiencies or Smart City technologies that would result in improved City services and/or financial benefits.

iv. Organization: 20 Points

18. Prompt: Does the Applicant have technical and managerial experience deploying its proposed services at its proposed scale?

- High: Yes.
- Medium: No, but Applicant has technical and managerial experience deploying its proposed services at a smaller scale than in the Proposal.
- Low: No, but certain of Applicant's key staff members have individual technical and managerial experience deploying the proposed services at the proposed or a similar scale.

19. Prompt: As a firm, is the Applicant stable enough to deliver on its Proposal in terms of finances, leadership, and employee composition?

- High: Yes, and the Applicant has a long record of achieving similar outcomes as the Proposal with a similar leadership and employee composition, as well as significant client references for both the firm and its employees.
- Medium: Yes, and while the Applicant does not have a long record, it does have significant client references for both the firm and its employees.
- Low: Yes.

v. Finance and Fee Proposal: Separate Consideration

In compliance with City procurement procedures, finance and fee proposals must be submitted in a separate document. Fees to the City should be itemized by deliverable, expense, project phase, or other divisible unit. Applicants should provide their best estimate of all expenses. No qualification of the financial offer will be accepted. The finance and fee proposal shall be a firm and final amount including the costs and expenses for all anticipated services.

20. *Prompt: If the City chooses this Proposal—alone or in conjunction with others so that the City’s Phase I goals are fully addressed—how much will the City need to spend?*
21. *Prompt: How much funding will the Applicant bring to the table, either directly or from outside funding sources?*
22. *Prompt: How much does the Proposal’s affordable, high-quality broadband plan cost the subscriber? Will it be free or low-cost¹⁸ to all end-users without qualification, or based on need?*
23. *Prompt: Will the broadband service plan remain affordable over time while still providing increased speeds that keep pace with increased consumer demand? How? Does the financing plan rely on continual subsidies, or is it self-sustaining?*

c. Minimum Proposal Requirements

24. This RFP process must result in comprehensive solutions that address both Phase I goals.
 - If the strongest comprehensive Phase I solution would result from the implementation of multiple or separate Proposals, then the City will move to enter into multiple agreements, request that certain Applicants work together, or otherwise implement separate Proposals.
 - If an Applicant can only provide solutions or partial solutions to one part of the RFP, the City recommends (but does not require) that it identify other organizations or firms to submit a joint RFP to address the full RFP.
25. Adoption services must be offered to all Cleveland residents.
 - The Proposal must ultimately result in education and training services for effective engagement online available to every Cleveland resident.
26. A single affordable broadband plan must be offered to all Cleveland residents.
 - The Proposal must ultimately result in an affordable broadband internet service plan available across the City.
27. The proposed affordable internet service plan must reach the federal minimum definition of broadband.
 - To the extent that a Proposal includes the deployment of new infrastructure, the ARPA SLFRF overview states plainly: “Recipients are required to design projects to, upon completion, reliably meet or exceed symmetrical 100 Mbps download and upload speeds.”¹⁹ The City cannot use its ARPA funds to invest in Proposals involving new infrastructure that will not meet this standard.

¹⁸ To reiterate: in this RFP, a “low-cost” broadband service plan is defined as one that costs less than 1 percent of income at 200 percent of the federal poverty line for a household of one person, or no more than \$23/month.

¹⁹ “Recipients are required to design projects to, upon completion, reliably meet or exceed symmetrical 100 Mbps download and upload speeds.” “Coronavirus State & Local Fiscal

- To the extent that a Proposal does not include the deployment of new infrastructure, any resulting service plan must operate at a reliable minimum speed of 100 mbps download / 20 mbps upload.
 - No plan should have a data cap, or as necessary, the data cap should be no lower than two terabytes per month.
28. The technology used to deliver broadband service to end-users must be analyzed and verified as reliable by an independent third party.
- Applicants will be required to provide, at their expense, an independent, third-party assessment of the technology through which their services will be provided. The City must approve the independent third-party analyst.
 - The assessment must demonstrate the viability of any technological models used to deliver broadband services in the Proposal, including via rigorous network performance testing. At a minimum, the assessment should assess: network speed, latency, reliability, and the ability of the technology to provide service that keeps pace with consumer demand over time.
 - Applicants must also provide a track record for their chosen technology, including deployments of the same technology locally or elsewhere.
 - Any final agreement with the City will include a requirement that Applicants guarantee performance of the technology, and this assessment will support that agreement.
 - Without this information, a given technical model will present high levels of uncertainty and risk unacceptable for public support.
29. As a full partner in this endeavor, the City of Cleveland will use its name and brand to promote the implementation of any chosen Proposal.
- The City of Cleveland intends to provide resources, facilitate connections, and drive the progress necessary to close the digital divide through this RFP. As such, it also intends to be a primary or co-equal partner in any final product, development, service, or initiative resulting from an agreement with an Applicant, and it intends to have its name and brand positioned to reflect that status.
30. Proposals must be fully financed.
- Beyond potential City contributions described above, Applicants must be able to fully finance their Proposals, either directly or from outside funding sources.

VII. ADDITIONAL REQUIREMENTS

a. Overview

In addition to responding to each of the prompts in the evaluation framework above, Proposals should affirm their commitment to each of the following additional requirements and explain how the Proposal meets them. To the extent that a given requirement is not applicable to a Proposal, Applicant should briefly explain why. As above, responses should be as detailed as possible and include evidence to support all assertions.

b. Operations and Maintenance

Proposals that involve the use of any physical technology or infrastructure should include a plan for ongoing operations and maintenance, as well as financing for the same. The City is interested in all potential partnership models, but Applicants must provide for the operation and maintenance of any physical deployments involved in their Proposal.

c. Requirements Set by Federal and State Funds

As stated, the City of Cleveland is open to using up to \$20 million from ARPA SLFRF to close the digital divide. Accordingly, Proposals should comport with the broadband and other requirements set forth in the relevant statute and in the SLFRF Final Rule. Proposals should also comport with the federal government's functional definition of broadband speeds, as reflected in IIJA and relevant FCC rules.

Additionally, the selected Applicant shall make the certifications contained in the document attached to this RFP as Exhibit A, and the eventual contract with the selected Applicant shall contain the contract provisions contained therein.

To the extent that the proposal could be eligible for other federal, state, or alternative funding sources, Applicants should identify those sources and commit to following their requirements.

d. Applicant Qualifications, Leadership, and Key Staff

Each Applicant should state in detail its qualifications, experience, and how its services and/or products are unique and best suited to meet the requirements and intent of this RFP. Applicants may include as much information as needed to differentiate its services and product(s) from other Applicants. At a minimum, Proposals should include the following:

- A description of the nature of the Applicant's experience in providing the services sought by this RFP, including the number of persons currently employed for such purposes.
- The total number of such engagements and the clients comparable to the City for which the Applicant has provided like or similar services within the last five years.
- The names and addresses of at least three references for the Applicant's professional capabilities, including the name, e-mail address, and telephone number of a contact person for each reference.

In addition, Applicants must demonstrate that they have sufficient executive and technical leadership able to execute their Proposal, including with key staff members who have successfully led projects of similar type, scale, and scope. Applicants should provide client references for the Applicant itself, and both resumes and client references for each key member of its Proposal team.

e. Applicant History and Finances

To mitigate the risk inherent in any partnership, Applicants must provide evidence of their capacity to deliver—technically, managerially, and financially.

As relevant to the Proposal, this should include information on existing subscriber revenues, financial statements, and other evidence related to Applicants' ability to successfully build, operate, maintain, service, and provide resources through a viable broadband network.

As relevant to the Proposal, this should also include information about education and training services, including sessions held, attendees, demonstrated results, and other evidence related to Applicants' ability to support individuals so they can effectively engage online.

Applicants must also provide the name, location, and date of all of its agreements for like services that have been terminated, canceled, or suspended prior to completion of the engagement or expiration of the full term within the past five years, and any judgment terminating, or any pending lawsuits or unresolved claims or disputes for damages or termination of such agreements within the past five years.

f. Technical and Professional Capabilities

Applicants' team members and any subcontractors involved in deployment must have professional and training certifications appropriate for the work performed. These include professional engineering licenses, BICSI certifications, and certifications from the manufacturers of the materials and systems used. This also includes licenses necessary to do business in Ohio, as applicable.

Applicants must disclose the identity of any subcontractors involved in deployment, must provide evidence that those contractors are properly licensed and bonded, and must provide evidence of a demonstrated record of safe and high-quality work.

g. Insurance

Proposals must include evidence that the Applicant is properly insured for its Proposal, insofar as it has the appropriate type of insurance and minimum coverage limit.

h. Safety

Applicants must demonstrate their track record and commitments regarding worker and public safety. As relevant to the Proposal, Applicants must demonstrate that they comply with relevant standards and frameworks, including but not limited to ISO 18001 and ISO 45001 (occupational health and safety management systems) and ISO 45005 (work in a pandemic).

As relevant to the Proposal, Applicants must also demonstrate exemplary workplace safety practices and a program of in-house or external safety training (such as OSHA 10 and OSHA 30), including training specific to the processes and technologies they use. Safety training and certification should cover general construction safety as well as relevant specialty areas, including confined space; traffic control; high voltage; work on aerial utility lines; bucket truck operation; or other training, as relevant depending on title and work.

Applicants must provide their compliance track record and records of incidents, as well as the methodology for collecting this data. Applicants must disclose any violations of Occupational Safety and Health Act and other federal laws or state designed to protect workers and the public.

Applicants must describe how they verify compliance with safety standards and practices and demonstrate how continuous improvement takes place. As relevant to the Proposal, Applicants must have processes for monitoring safety and implementation of training, identifying policies and procedures related to health and safety, developing performance indicators, reviewing incidents, and performing audits.

Applicants and their subcontractors can have no recent violations of Occupational Safety and Health Act, the Fair Labor Standards Act, Title VII of the Civil Rights Act of 1964, and Ohio labor and employment laws.

VIII. TERMS, CONDITIONS, AND DISCLAIMERS

1) Disqualification

- a) The City does not intend by this RFP to prohibit or discourage submission of a proposal that is based upon an Applicant's experience in relation to the nature or scope of work, services, or product(s) described in this RFP or to prescribe the manner in which its services are to be performed or rendered
 - i) The City will not be obligated to accept, however, significant deviations from the work or services sought by this RFP, including terms inconsistent with or substantially varying from the services or the financial and operational requirements of the RFP, as determined solely by the City.
 - ii) The City reserves the right to reject any proposal that does not furnish or is unresponsive to the information required or requested herein. The City reserves the right to reject any proposal or to waive or to accept any deviation from this RFP or in any step of the proposal submission or evaluation process so as to approve the award of the contract considered in the City's best interest, as determined in the City's sole discretion.
- b) The City reserves the right to reject any or all proposals.
 - i) Failure by an Applicant to respond thoroughly and completely to all information and document requests in this RFP may result in rejection of its proposal.
 - ii) The City reserves the right to independently investigate the financial status, qualifications, experience, and performance history of any Applicant.
 - iii) The City may reject one or more proposals if it has reason to believe that Applicants have colluded to conceal the interest of one or more parties in a proposal, and will not consider a future proposal from a participant in the collusion.
 - iv) The City will not accept a proposal from or approve a contract to any Applicant that is in default as surety or otherwise upon an obligation to the City or has failed to perform faithfully any previous agreement with the City, or is currently in default under any agreement with the City.
 - v) The City reserves the right to cancel the approval or authorization of a contract award, with or without cause, at any time before its execution of a contract and to later enter into a contract that varies from the provisions of this RFP, if agreed to by another Applicant.

2) Insurance

- a) The successful Applicant, at its expense, shall at all times during the term of the contract resulting from this RFP, maintain the following insurance coverage. The insurance company(ies) providing the required insurance shall be authorized by the Ohio Department of Insurance to do business in Ohio and rated "A" or above by A. M. Best Company or equivalent.
- b) The successful Applicant, as a contractor, shall provide a copy of the policy or policies and any necessary endorsements, or a substitute for them satisfactory to and

approved by the Director of Law, evidencing the required insurances upon execution of the contract.

- c) The successful Applicant, during the term of a resulting agreement, if any, shall keep in force Commercial General Liability Insurance in an amount of not less than the amount of \$1,000,000.00, including the City of Cleveland as an additional insured. Applicants must provide proof of insurance naming the City of Cleveland an additional insured and at the time of agreement.
- d) At the expense of the Applicant, the Applicant will obtain and maintain insurance throughout the term of the agreement. All insurance will be by insurers acceptable to the City and authorized to do business in the State of Ohio.
 - i) Professional liability insurance with limits of not less than \$1,000,000 for each occurrence and subject to a deductible for each occurrence of not more than \$25,000 per occurrence and in the aggregate, and if not written on an occurrence basis, shall be maintained for not less than two years after satisfactory completion and written acceptance of the services under the contract.
 - ii) Workers' compensation and employer's liability insurance as provided under the laws of the State of Ohio.
 - iii) Statutory unemployment insurance protection for all of its employees.
 - iv) Such other insurance coverage(s) as the City may reasonably require.

3) The City's Rights and Requirements

- a) The City at its sole discretion may require any Applicant to augment or supplement its proposal or to meet with the City's designated representatives for interview or presentation to further describe the Applicant's qualifications and capabilities. The requested information, interview, meeting, or presentation shall be submitted or conducted, as appropriate, at a time and place the City specifies.
- b) The City reserves the right, at its sole discretion, to reject any proposal that is incomplete or unresponsive to the requests or requirements of this RFP. The City reserves the right to reject any or all proposals and to waive and accept any informality or discrepancy in the proposal or the process as may be in the City's best interest.
- c) Proposal as a Public Record.
 - i) Under the laws of the State of Ohio, all parts of a proposal, other than trade secret or proprietary information and the fee proposal, may be considered a public record which, if properly requested, the City must make available to the requester for inspection and copying. Therefore, to protect trade secret or proprietary information, the Applicant should clearly mark each page - but only that page - of its proposal that contains that information. The City will notify the Applicant if such information in its proposal is requested, but cannot, however, guarantee the confidentiality of any proprietary or otherwise sensitive information in or with the proposal. Blanket marking of the entire

proposal as “proprietary” or “trade secret” will not protect an entire proposal and is not acceptable.

d) Term of Proposal’s Effectiveness.

- i) By submission of a proposal, the Applicant agrees that its proposal will remain effective and eligible for acceptance by the City until the earlier of the execution of a final contract or 180 calendar days after the proposal submission deadline (the “Proposal Expiration Date”).

e) Execution of a Contract.

- i) The Successful Applicant shall, within ten (10) business days after receipt of a contract prepared by the City Director of Law, exclusive of Saturdays, Sundays and holidays, execute and return the contract to the City together with evidence of proper insurance and intent to conform to all requirements of the contract. attached hereto or which are a part hereof and all applicable federal, state and local laws and ordinances prior to or at the time of execution of the contract.

f) “Short-listing.”

- i) The City reserves the right to select a limited number (a “short list”) of Applicants for follow-up requests for information, including but not limited to an oral presentation of their qualifications, proposed services, and capabilities. The City will notify the Applicants selected for oral presentations in writing.

g) Applicant’s Familiarity with RFP; Responsibility for Proposal

- i) By submission of a proposal, the Applicant acknowledges that it is aware of and understands all requirements, provisions, and conditions in and of this RFP and that its failure to become familiar with all the requirements, provisions, conditions, and information either in this RFP or disseminated either at a pre-proposal conference or by addendum issued prior to the proposal submission deadline, and all circumstances and conditions affecting performance of the services to be rendered by the successful Applicant will not relieve it from responsibility for all parts of its Proposal and, if selected for contract, its complete performance of the contract in compliance with its terms. Applicant acknowledges that the City has no responsibility for any conclusions or interpretations made by Applicant on the basis of information made available by the City. The City does not guarantee the accuracy of any information provided and Applicant expressly waives any right to a claim against the City arising from or based upon any incorrect, inaccurate, or incomplete information or information not otherwise conforming to represented or actual conditions.

h) Interpretation

- i) The City is not responsible for any explanation, clarification, interpretation, representation or approval made concerning this RFP or a Proposal or given in any manner, except by written addendum. The City will deliver an electronic copy of each addendum issued, if any, to each individual or firm that

requested and received a RFP. Any addendum is a part of and incorporated in this RFP as fully as if originally written herein.